

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-3 and 5-13 are pending in this application. Claims 5-13 are withdrawn from consideration. By this amendment, Claims 1 and 3 are amended, and Claim 4 is canceled.

In the outstanding Office Action, Claims 1-4 were rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 6,195,646 to Grosh in view of U.S. Patent No. 5,825,883 to Archibald. This rejection is respectfully traversed.

The applied art does not disclose the features of amended Claim 1. Applicants' Figure 2 of the present application provides a non-limiting example of the features recited in Claim 1. That is, as discussed from at least page 11, line 17 to page 13, line 9, a typical player 3 has a communication unit 21 to exchange information with other devices over the Internet 2. A content storage unit 22 stores content data received by the communication unit 21 from the content server 4 over the Internet 2. If supplementary information attached to certain contents is transmitted from the content server 4, the supplementary information upon receipt is stored in a supplementary information storage unit 25. The supplementary information includes such items as names of pieces of music, composers' names, lyricists names, players names, and the like.

A reproduction unit 23 reproduces content data held in the content storage unit 22. A reproduction detection unit 24 detects reproduction of contents and its reproduction data by the reproduction unit 23 and outputs relevant information accordingly. A reproduction location detection unit 27 detects where the player 3 is located at the time of content reproduction (i.e., geographical location of the player 3 (address of the user of player 3) and its address on the network). A player information setting unit 28 allows the user to set such

player information as the type of the player 3 and the purpose of reproduction, i.e., for commercial or non-commercial use.

Further, a reproduction information generation unit 26 generates reproduction information based on supplementary information from the supplementary information storage unit 25, reproduction detection information from the reproduction detection unit 24, reproduction location information from the reproduction location detection unit 27, and player information from the player information setting unit 28. The reproduction information thus generated is transmitted via the communication unit 21 to the total reproduction count computing system 12 in the pricing agent 1.

The features of the claimed invention are not taught, disclosed or suggested in either Grosh alone or in combination with Archibald. At least for the above-stated reasons, Applicants respectfully request that the rejection of Claims 1-4 under 35 U.S.C. § 103(a) as unpatentable over Grosh in view of Archibald be withdrawn.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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